

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

TICKETOPS CORPORATION,

Petitioner and Counter
Respondent,

v.

COSTCO WHOLESALE
CORPORATION,

Respondent and
Counter Petitioner.

C21-931 TSZ

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable Thomas S. Zilly, United States District Judge:

(1) The motion to require Petitioner and Counter Respondent TicketOps Corporation (“TicketOps”) to post a suitable security, docket no. 35, filed by Respondent and Counter Petitioner Costco Wholesale Corporation (“Costco”) is RENOTED to February 18, 2022.

(2) The Court previously denied Costco’s request to require TicketOps to post pre-judgment security in light of the Court’s Order confirming the foreign arbitral award in favor of Costco. *See* Order at 14 (docket no. 17). The Court did not address whether it lacks authority to impose security. The Court now concludes that Article VI of the New York Convention provides this Court with discretion to require a party to post suitable security under appropriate circumstances. *See* 21 U.S.T. 2517, Art. VI. The Court DEFERS a decision as to whether TicketOps should be required to post suitable security at this time.

(3) The parties are DIRECTED, on or before February 18, 2022, to file supplemental briefs, not to exceed five (5) pages, addressing whether this Court has

1 authority under Article VI of the New York Convention to impose *post-judgment* security
2 during the pendency of TicketOps's appeal.

3 (4) According to Costco's reply, docket no. 37, as of February 4, 2022,
4 TicketOps had failed to produce a single document of post-judgment discovery ordered
5 by this Court. On January 4, 2022, the Court required TicketOps to produce certain
6 documents within thirty (30) days of its Order. *See* Order at 5–6 (docket no. 34). Costco
7 is DIRECTED, on or before February 18, 2022, to file a supporting declaration
8 addressing whether, and to what extent, TicketOps has produced the required post-
9 judgment discovery. On or before February 18, 2022, TicketOps may file a declaration
10 addressing whether, and to what extent, it has produced or intends to produce the required
11 post-judgment discovery.

12 (5) The Clerk is directed to send a copy of this Minute Order to all counsel of
13 record.

14 Dated this 8th day of February, 2022.

15 Ravi Subramanian
16 Clerk

17 s/Gail Glass
18 Deputy Clerk